

AMENDED IN SENATE AUGUST 31, 2015

AMENDED IN ASSEMBLY JUNE 1, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 530

Introduced by Assembly Member Rendon

(Principal coauthor: Senator Lara)

(Coauthor: ~~Assembly Member Gomez~~)

**(Coauthors: Assembly Members Cristina Garcia, Gomez,
Roger Hernández, and O'Donnell)**

(Coauthor: Senator Pavley)

February 23, 2015

An act to add Chapter 6 (commencing with Section 32622) to Division 22.8 of the Public Resources Code, relating to the Los Angeles River.

LEGISLATIVE COUNSEL'S DIGEST

AB 530, as amended, Rendon. Lower Los Angeles River Working Group.

Existing law provides for the protection, enhancement, and restoration of rivers in this state. Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for the purpose of, among others, providing for the public's enjoyment and enhancement of recreational and education experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River.

This bill would require the Secretary of the Natural Resources Agency to appoint, ~~in coordination~~ *in consultation* with the Los Angeles County Board of ~~Supervisors~~, *Supervisors to the extent the board wishes to consult*, a local working group to develop a revitalization plan for the

~~Lower Los Angeles River, River watershed, called the Lower Los Angeles River Working Group. The bill would specify a prescribed membership for the working group, including, among others, representatives from the County of Los Angeles, and elected officials of the cities riparian to the Los Angeles River. require the secretary to consider requests from local agency representatives to participate in the working group and would authorize the working group to include specified representatives.~~ The bill would require, by March 1, 2017, the working group to develop, through watershed-based planning methods, a revitalization plan that addresses the unique and diverse needs of the Lower Los Angeles River, that is consistent with, enhances, and is *authorized to be* incorporated into the County of Los Angeles's Master Plan, and that includes watershed education programs. ~~By imposing additional duties on local officials, the bill would impose a state-mandated local program.~~ The bill would require the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy to provide any necessary staffing to assist the working group.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Lower Los Angeles River.

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~*no*.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The Los Angeles River has a complex ecological and
- 4 political history. The river originally ran freely along an alluvial
- 5 flood plain, which today is the City of Los Angeles. In the ~~1930s~~
- 6 *1930s*, destructive flooding led the United States Army Corps of
- 7 Engineers to design and build facilities to minimize the impacts
- 8 of future floods, a process that included lining most of the river
- 9 with concrete. Since then, the city, county, and federal government

1 have all played a role in restoring the Los Angeles River, including
 2 the county's 1996 adoption of a master plan for developing and
 3 restoring the entire Los Angeles River. The City of Los Angeles
 4 developed a "revitalization plan" to restore the Upper Los Angeles
 5 River, which lies within the city's boundaries. Most recently, the
 6 Corps of Engineers approved "Alternative 20," a substantial
 7 restoration and infrastructure project along the Upper Los Angeles
 8 River.

9 (b) The City of Los Angeles was given responsibility for
 10 managing the river's resources through a charter by the King of
 11 Spain at the end of the 18th century. After serious floods in the
 12 1930's, 1930s, the federal government, through the United States
 13 Army Corps of Engineers, stepped in to take responsibility for
 14 building and managing infrastructure projects to reduce the risk
 15 and damage from flooding, with the county as the local partner.
 16 The county also works with the city in managing the Upper Los
 17 Angeles River, where court decisions have held that the King of
 18 Spain's charter gives the city "pueblo" water rights with authority
 19 to manage the Upper Los Angeles River's resources. The courts
 20 have not given the city authority over the Lower Los Angeles
 21 River.

22 (c) The State of California retains its sovereign authority to
 23 manage the rivers within its boundaries, including the Los Angeles
 24 River. Historically, however, it has not exercised that authority,
 25 due to the dominance of the ~~federal~~ *United States* Army Corps of
 26 Engineers in partnership with the county. The county's master
 27 plan addresses the entire river but is close to two decades old, and
 28 would benefit from renewed attention to resources and
 29 development, especially on the lower river. The Lower Los Angeles
 30 River passes through many cities, but not one of these cities has
 31 the responsibility and the resources to invest in restoration of that
 32 part of the Los Angeles River. There is therefore opportunity and
 33 need for the ~~State~~ *state* to aid in the development and
 34 implementation of the county's Master Plan, especially for the
 35 Lower Los Angeles River.

36 (d) In 2014, California voters approved the Water Quality,
 37 Supply, and Infrastructure Improvement Act of 2014, which
 38 included \$60 million for the Los Angeles River, authorizing
 39 funding for both the Santa Monica Mountains Conservancy, which
 40 has responsibility for the Upper Los Angeles River, and the San

1 Gabriel and Lower Los Angeles Rivers and Mountains
2 Conservancy, which has responsibility for the Lower Los Angeles
3 River. The Water Quality, Supply, and Infrastructure Improvement
4 Act of 2014 allocated \$30 million to each conservancy for the
5 purpose of multibenefit water quality, water supply, and watershed
6 protection and restoration projects for the watersheds.

7 SEC. 2. Chapter 6 (commencing with Section 32622) is added
8 to Division 22.8 of the Public Resources Code, to read:

9
10 CHAPTER 6. LOWER LOS ANGELES RIVER WORKING GROUP

11
12 32622. (a) The Secretary of the Natural Resources Agency
13 shall appoint, ~~in coordination~~ *consultation* with the Los Angeles
14 County Board of ~~Supervisors~~, *Supervisors to the extent that the*
15 *board wishes to consult*, a local working group to develop a
16 revitalization plan for the Lower Los Angeles ~~River~~, *River*
17 *watershed*, called the Lower Los Angeles River Working Group.
18 *The secretary shall consider requests from local agency*
19 *representatives to participate in the working group.* The working
20 group ~~shall~~ *may* include, but need not be limited to, representatives
21 from the conservancy, the County of Los Angeles, the Gateway
22 Cities Council of Governments, the Los Angeles Gateway Region
23 Integrated Regional Water Management Joint Powers Authority,
24 elected officials of the cities riparian to the Los Angeles River,
25 and ~~non-profit~~ *nonprofit* organizations serving the Los Angeles
26 River region.

27 (b) On or before March 1, 2017, the working group shall
28 develop, through watershed-based planning methods, a
29 revitalization plan that addresses the unique and diverse needs of
30 the Lower Los Angeles River and the communities through which
31 it passes. The plan shall be consistent ~~with~~, *with and* enhance, and
32 *may* be incorporated into, the County of Los Angeles's Master
33 Plan for the entire Los Angeles River. The plan shall include
34 watershed education programs that help the Los Angeles River
35 communities recognize the value of the river and the importance
36 of protecting the river's watershed resources and its vitality to their
37 communities.

38 (c) The conservancy shall provide any necessary staffing to the
39 working group to assist in the development of the plan.

1 (d) The development and implementation of the revitalization
2 plan may be eligible for funding from any public or private source,
3 including, but not limited to, funding pursuant to Section 79735
4 of the Water Code. Entities that are eligible to implement the
5 revitalization plan include, but are not limited to, state agencies,
6 local agencies, and ~~non-profit~~ *nonprofit* organizations, and may
7 be eligible for state funding.

8 SEC. 3. The Legislature finds and declares that a special law
9 is necessary and that a general law cannot be made applicable
10 within the meaning of Section 16 of Article IV of the California
11 Constitution because of the Lower Los Angeles River's complex
12 ecological and political history and the unique obstacles the local
13 governments of the Lower Los Angeles River encounter when
14 managing the river and its surrounding areas.

15 ~~SEC. 4. If the Commission on State Mandates determines that~~
16 ~~this act contains costs mandated by the state, reimbursement to~~
17 ~~local agencies and school districts for those costs shall be made~~
18 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
19 ~~4 of Title 2 of the Government Code.~~